

**IN THE U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS,
SHERMAN DIVISION**

MARK HAMMERVOLD

Plaintiff

V.

**DIAMONDS DIRECT USA OF
DALLAS, LLC;**

DAVID BLANK;

DIAMOND CONSORTIUM, INC.
d/b/a THE DIAMOND DOCTOR; and

**JEWELERS MUTUAL INSURANCE
COMPANY**

No. 4:20-CV-00165-ALM

**PARTIES' JOINT REQUEST FOR ENTRY OF BRIEFING SCHEDULE ON
DEFENDANTS' MOTIONS TO DISMISS AND PLAINTIFF'S UNOPPOSED MOTION
FOR LEAVE TO FILE RESPONSE EXCEEDING PAGE NUMBER LIMIT**

Pursuant to Fed. R. Civ. P. 6(b)(1) and Local Rule CV-7(e), the Parties jointly request this Court enter the following briefing schedule for the remaining briefing yet to be filed on Defendants' Renewed and Supplemental 12(b)(6) Motions to Dismiss:

1. Plaintiff's Response(s) to the Defendants' Renewed and Supplemental 12(b)(6) Motions to Dismiss will be due August 31, 2021;
2. Defendants' Replies will be due September 15, 2021.

The Parties have conferred and agreed upon this briefing schedule. The Parties ask this Court to enter this briefing schedule to allow both sides a fair and complete opportunity to brief the pending motions, given Counsel for both sides' other professional responsibilities and scheduling conflicts.

Pursuant to Local Rule CV-7(a)(1), the Plaintiff, Mark Hammervold, requests leave of court to file a single response to the Defendants' two motions to dismiss containing up to thirty-five (35) pages. Defendants do NOT oppose this request. As ground for this request, Plaintiff states as follows:

The Defendants have filed two similar motions to dismiss. Under the existing rule, the Plaintiff is permitted to file separate responses to each, up to a page limit of 30 pages each. Plaintiff respectfully submits that it would be simpler for this Court, and the Parties, if the Plaintiff filed a single response brief, but in order to do this, the Plaintiff needs five additional pages to cover all of the arguments from the Defendants' two motions to dismiss.

RESPECTFULLY SUBMITTED,

s/Mark Hammervold¹

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CERTIFICATE OF CONFERENCE

Prior to filing this motion, the Plaintiff conferred with Counsel for the Defendants regarding a request for an extension of time and regarding the request to file a single reply up to 35 pages. Counsel conferred and agreed on a briefing schedule, and jointly move for that relief. Defendants do not oppose Plaintiff's request for leave to file a single reply up to 35 pages.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 13, 2021, a true and correct copy of the foregoing filing was served upon all counsel of record via the Court's ECF system.

/s/ Mark Hammervold

¹ Mark Hammervold is admitted to practice in this district, but is representing himself *pro se* in this case.

² Defendants join this motion as to the request for the briefing schedule, and do not oppose as to the request for leave to file a reply up to 35 pages.